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## Freedom in the World 2012 - Somalia

### 2012 Scores

Status: Not Free

Freedom Rating: 7.0

Civil Liberties: 7

Political Rights: 7

### Overview

In 2011, a crippling drought in the Horn of Africa converged with continuing insecurity, the lack of an effective central government, and gaps in international aid to put 4 million people in need of emergency assistance in Somalia and created famine conditions in the parts of the south controlled by the main insurgent group, the Shabaab. In June, the international community reluctantly agreed to extend the mandate of the weak Transitional Federal Government for another year. After African Union peacekeepers ousted the Shabaab from Mogadishu in August, the group responded by launching its most deadly bomb attack on the capital to date in October.

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Somalia gained independence in 1960 as an amalgam of former British and Italian colonies populated largely by ethnic Somalis. A 1969 coup by General Siad Barre led to two decades of instability, civil strife, and the manipulation of clan loyalties for political purposes. After Barre's regime was finally toppled in 1991, the country descended into

warfare between clan-based militias, and an effective national government was never restored.

Famine and fighting killed approximately 300,000 people in 1991 and 1992, prompting a UN humanitarian mission led by U.S. forces. The intervention soon deteriorated into urban guerrilla warfare with Somali militias. Over 100 UN peacekeepers, including 18 U.S. soldiers, were killed. The international community withdrew, largely turning its back on Somalia's civil strife for the next decade.

Attempts to revitalize the political process began in 2000 with a peace conference in Djibouti, where many of Somalia's factional leaders agreed to participate in a three-year transitional government. While this initiative quickly unraveled, a fresh effort in 2004 resulted in the establishment of a 275-seat Transitional Federal Assembly (TFA), in which the leading clans took an equal number of seats, and a new Transitional Federal Government (TFG). That year, TFA members elected the Ethiopian-backed warlord Abdullahi Yusuf Ahmed to serve a five-year term as president. Divisions soon emerged within the TFG between his supporters and an alliance of Islamists and clan leaders. The Islamic Courts Union (ICU), a broad coalition of Islamists, eventually emerged as the dominant force within Mogadishu, and the group gained control of most of southern Somalia during 2006. The TFG retreated to the town of Baidoa, north of Mogadishu. Meanwhile, hard-liners within the ICU, backed by Eritrea, grew increasingly hostile toward neighboring Ethiopia. With tacit U.S. support, Ethiopia invaded Somalia to oust the ICU in December 2006, forcing the Islamists to the extreme south of the country.

The departure of the ICU prompted an insurgency against the Ethiopian-backed TFG by groups including the Shabaab, a radical ICU faction. All sides in the conflict committed severe human rights abuses, and as many as 400,000 people were displaced from Mogadishu during 2007.

Hopes for a political breakthrough were raised when a group of moderate exiled ICU leaders joined forces with non-Islamist opposition members to form the Alliance for the Reliberation of Somalia (ARS). UN-sponsored negotiations between the TFG and a faction of the ARS led to a 2008 power-sharing arrangement that doubled the size of the TFA. The Shabaab did not participate in negotiations and vowed to fight on. Ethiopian forces withdrew from Somalia in early 2009, and the expanded TFA was sworn in, electing the chairman of the ARS, Sheikh Sharif Sheikh Ahmed, as its new president.

Islamist insurgents kept up their attacks, led by the Shabaab, which declared a formal alliance with Al Qaeda at the start of 2010. Mogadishu was the epicenter of the fighting; at least 2,000 civilians were killed there in 2010, including five government officials and six members of parliament who were caught up in an attack on a hotel.

Despite ongoing assaults, the Shabaab was unable to oust the TFG from Mogadishu, which relied upon a contingent of African Union (AU) troops to shift the momentum in its favor. The troops, which numbered almost 10,000 by 2011, forced the Shabaab into what it described as a "tactical withdrawal" from Mogadishu in August. In response, the group launched an October suicide bombing that killed more than 70 people near a government building. Nevertheless, the Shabaab was under increasing strain, deeply unpopular with the public, militarily weak, and undermined by internal splits. It came under further pressure in October, when in response to a series of kidnappings across its border, Kenyan troops invaded southern Somalia. Ethiopian forces entered Somali territory from the west, squeezing the area under direct control of the Shabaab. Military operations were ongoing at year's end.

Meanwhile, rampant corruption and infighting among the TFG's leaders paralyzed government business and destroyed much of the TFG's credibility. Prime Minister Omar Abdirashid Ali Sharmarke resigned in September 2010, and his replacement, Mohamed Abdullahi Mohamed, became caught up in a dispute between President Sharif and the speaker of parliament over whether to extend the mandates of the Transitional Federal Institutions, which were due to expire in August 2011. Under a deal negotiated by Uganda in June, Mohamed was fired, and the president, the speaker, and his deputies had their terms extended until August 2012, when elections would be held. A new prime minister, Abdiweli Mohamed Ali, was appointed.

The crisis in Somalia was further exacerbated in 2011 by the Horn of Africa's worst drought in six decades, which combined with the absence of security and a functioning government to create a humanitarian emergency. According to the United Nations, four million people were affected in Somalia, including three million in the parts of the south controlled by the Shabaab. By September, famine conditions had been declared in six regions of south-central Somalia, and the United Nations was warning that the lives of 750,000 people were in the balance. The Shabaab impeded efforts to assist the victims, banning 16 international organizations from operating in areas under its control in November. Although the international relief effort began to have an impact by the end of the year, an estimated 250,000 Somalis remained at imminent risk of starvation. Nearly one million people had abandoned their homes to seek assistance, many of them fleeing across the border to the Dadaab refugee camp in Kenya. The population of Dadaab, originally designed to hold 90,000, tipped 440,000 by the end of the year.

In the semiautonomous region of Puntland in northeastern Somalia, the security situation deteriorated in 2011 as the authorities struggled to contain pro-Shabaab militias. In August, at least 16 people were killed in Galkaiyo in clashes between the two sides, including a senior police officer. A spate of assassinations of public officials added

to the sense of insecurity. Meanwhile, pirates continued to use Puntland as a launch pad for attacks. The International Maritime Bureau recorded 237 piracy incidents off the coast of Somalia in 2011, including 28 successful hijackings. Twenty-five people had been killed in the process. By the end of the year, approximately 270 crew members were being held hostage.

## **Political Rights and Civil Liberties**

Somalia is not an electoral democracy. The state has ceased to exist in most respects, and there is no governing authority with the ability to protect political rights and civil liberties. The TFG is recognized internationally but is deeply unpopular domestically, and its actual territorial control is minimal. The TFA was expanded from 275 to 550 seats in 2009 following an agreement between the TFG and a wing of the opposition ARS. The TFA elects the president, choosing the moderate Islamist Sheikh Sharif Sheikh Ahmed in 2009. The TFG was given a five-year mandate when it was established in 2004. A new constitution and national elections were to follow, but the TFA voted in 2009 to extend the TFG's mandate until 2011. The mandates of both the TFA and the TFG were extended for another year in 2011. No effective political parties exist, and the political process is driven largely by clan loyalty.

The Transitional Federal Charter (TFC), the organizing document for Somalia that was approved in 2004, calls for a new constitution to be drawn up and approved in a national referendum. A draft version of a permanent constitution was completed in July 2010 but failed to win widespread support and had not been passed by the end of 2011.

Since 1991, the northwestern region of Somaliland has functioned with relative stability as a self-declared independent state, though it has not received international recognition. The region of Puntland has declared a temporary secession until Somalia is stabilized, although calls for full independence have been on the rise. Elections for Puntland's 66-member legislature were held in 2008. The new parliament elected Abdirahman Muhammad Mahmud "Farole" for a four-year term as president in January 2009. The result was seen as a fair reflection of the will of the legislature, and power was transferred peacefully from the defeated incumbent. The Puntland authority broke off cooperation with the TFG in January 2011 in frustration at the under-representation of its interests in Mogadishu. The two sides were reconciled at a conference in August, but relations remain tense.

Corruption in Somalia is rampant, especially among TFG officials and parliamentarians. An internal audit from the prime minister's office released in May 2011 estimated that more than \$72 million in donor assistance was stolen between 2009 and 2010, and a further \$250 million in revenues could not be accounted for. TFG-affiliated militias in

Mogadishu have diverted emergency food aid meant for victims of Somalia's famine. The UN Monitoring Group on Somalia and Eritrea reported in June that arms and weapons supplied to the TFG found their way into Mogadishu's main market, and from there into the hands of the Shabaab. It said it was possible that TFG commanders were selling up to one-half of their ammunition. Corruption is also pervasive in Puntland, where the authorities have been complicit in piracy.

The TFC calls for freedoms of speech and the press, but these rights do not exist in practice. A press law passed in 2008 allowed for significant government control over the media. Somalia is one of the most dangerous countries in the world for journalists. According to the Committee to Protect Journalists, 22 media workers have been killed since 2007 in Somalia and Somaliland. In September 2011, a Malaysian journalist reporting on the famine was shot and killed, and a colleague injured, when the convoy they were travelling in came under fire from AU troops. Four soldiers were suspended following an investigation. In December, Abdisalan Sheikh Hassan of Horn Cable TV was shot in the head by a gunman in military uniform while driving through central Mogadishu; he had reportedly received several death threats. Radio is the primary news medium in Somalia. Somalis living abroad maintain a rich internet presence, and internet and mobile-telephone services are widely available in large cities. Nevertheless, poverty, illiteracy, and displacement limit access to these resources.

Journalists also faced a difficult and dangerous media environment in Puntland. A female journalist with Radio Galkaiyo was shot and wounded as she left her office in September 2011. In November, the authorities closed down two independent broadcasters, Universal TV and Somali Channel TV, accusing them of undermining security. An online journalist received a pardon in July 2011 following his conviction for endangering state security for an article which said that two murdered men had been members of the president's security detail.

Nearly all Somalis are Sunni Muslims, but there is a very small Christian community. Both Somalia's TFC and Puntland's charter recognize Islam as the official religion. The TFC provides for religious freedom, though this right is not respected in practice. The Shabaab has imposed crude versions of Islamic law in areas under its control, banning music, films, certain clothing, and in one area prohibiting men and women from walking together or talking in public. Anyone accused of apostasy risks execution. The Christian nongovernmental organization (NGO) Compass Direct recorded at least three cases in 2011 where Muslims were murdered for renouncing their faith. The Shabaab has also denied religious freedom to moderate Muslims and caused deep offense among many Somalis by destroying the graves of Sufi saints.

The education system is severely degraded due to the breakdown of the state. The Shabaab interferes with schools in areas under its control, demanding that all classes be taught in Arabic and ordering the removal from schools of UN-distributed textbooks it considers to be "un-Islamic." The October 2011 suicide bombing in Mogadishu targeted a group of students who had gathered to find out whether they had been awarded scholarships to study abroad.

Freedom of assembly is not respected amid the ongoing violence. The conflict forced many NGOs and UN agencies operating in Somalia to either reduce or suspend their activities. According to the UN Office for the Coordination of Humanitarian Affairs, 53 aid workers have been killed since 2008. In December 2011, three employees working on World Food Programme projects were shot dead in the town of Mataban. A week later, two staff with the medical charity Médecins Sans Frontières were killed in Mogadishu. Efforts have been made to resume emergency relief operations in the wake of the famine, but the Shabaab has blocked or impeded international aid agencies from getting supplies to the victims, particularly those living in rural areas. Somalia's insecurity has had spillover effects on relief efforts in neighboring countries. In October, two Spanish aid workers were kidnapped at gunpoint from Kenya's Dadaab camp, forcing NGOs to scale back their operations; it is believed that the hostages were taken to Somalia.

Existing labor laws are not adequately enforced. With the exception of a journalists' association, unions in the country are not active.

There is no judicial system functioning effectively at the national level. The TFA passed a law to implement Sharia (Islamic law) in 2009, but the government has been unable to implement the legislation. In reality, authorities administer a mix of Sharia and traditional Somali forms of justice and reconciliation. The harshest codes are enforced in areas under the control of the Shabaab, where people convicted of theft or other minor crimes are flogged or have their limbs amputated, usually in public. In January 2011, a man was executed by firing squad in Mogadishu after the Shabaab accused him of being a CIA spy. Three more alleged spies, including a boy of 16, met the same fate in August. The TFG has also carried out summary executions of suspected Shabaab loyalists. Independent monitors have been denied access to the detention facility run by the TFG's National Security Agency in Mogadishu, where interrogations of Shabaab suspects take place.

The rights of Somali citizens are routinely abused by the various warring factions. The TFG, the AU, and insurgent groups have fired shells indiscriminately into neighborhoods in Mogadishu. Children make up a large proportion of the civilian casualties. The United Nations said in May that half the injured patients it treated in Mogadishu were under the

age of five. According to Amnesty International, both the TFG and the Shabaab have unlawfully recruited child soldiers, some as young as eight. By restricting the movement of the population in the drought-hit areas it controls, the Shabaab has exposed hundreds of thousands of people to risk of starvation.

Most Somalis share the same ethnicity and religion, but clan divisions have long fueled violence in the country. The larger, more powerful clans continue to dominate political life and are able to use their strength to harass weaker clans.

Women in Somalia face considerable discrimination. Although outlawed, female genital mutilation is still practiced in some form on nearly all Somali girls. Sexual violence is rampant due to lawlessness and impunity for perpetrators, and rape victims are often stigmatized. While the TFC stipulates that women should make up at least 12 percent of parliamentarians, the current TFP fails to meet this quota; there are just 37 women among the 550 members of parliament.

#### **Explanatory Note**

The numerical ratings and status listed above do not reflect conditions in Somaliland, which is examined in a separate report.